

WF# 1152700

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

NEIL L. BRADLEY
SENIOR VICE PRESIDENT &
CHIEF POLICY OFFICER

1615 H STREET, NW
WASHINGTON, DC 20062
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October 26, 2017

SCANNED/RECEIVED
BY EXEC SEC
2017 OCT 26 PM 5:44

The Honorable Elaine Duke
Acting Secretary of Homeland Security
Department of Homeland Security
Washington, DC 20528

Dear Acting Secretary Duke:

The U.S. Chamber of Commerce urges the Department of Homeland Security to extend the Temporary Protected Status (TPS) designations for El Salvador, Honduras, and Haiti. These designations have been in place since 2001, 1999, and 2010 respectively and, according to the Center for Migration Studies, apply to a significant number of individuals – 195,000 Salvadorans, 57,000 Hondurans, and 50,000 Haitians.

While the Chamber appreciates that the TPS program is intended to be temporary, the reality is these individuals have now lived and worked in communities across this nation for in some cases nearly two decades now. We urge you to extend the current TPS designations and to work with Congress on a more permanent resolution to the status of these TPS beneficiaries.

The labor force participation for each of these nation's respective TPS populations is over 80%. Terminating these designations would end the work authorization of many key employees for our member companies. Further, the loss of employment authorization for these populations would adversely impact several key industries where TPS recipients make up a significant amount of the workforce. These industries include construction, food processing, hospitality, and home healthcare services.

With regard to the construction industry, ending the TPS designation for these three countries will exacerbate existing labor shortages in the industry at a time when such workers are essential to hurricane recovery efforts in states like Texas and Florida. There are an estimated 50,000 construction workers from these three countries who have TPS, many of them residing in these two states. Terminating these individuals' work authorization would run counter to the administration's goal of ensuring a timely and full recovery for these disaster areas.

We urge you to extend the TPS designations for El Salvador, Haiti, and Honduras for a

reasonable period of time to ensure stability for these TPS recipients and the companies that employ them.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a stylized flourish at the end.

Neil L. Bradley



**U.S. Citizenship
and Immigration
Services**

February 9, 2018

Mr. Neil Bradley
Senior Vice President
and Chief Policy Officer
Chamber of Commerce of
the United States of America
1615 H Street, NW
Washington, DC 20062

Dear Mr. Bradley:

Thank you for your October 26, 2017 letter to the Department of Homeland Security (DHS). Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designations for Haiti, El Salvador, and Honduras. The Secretary of Homeland Security's authority to designate or redesignate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

After considering information from several U.S. Government sources, on November 20, 2017, former Acting Secretary Duke announced the termination of Haiti's TPS designation after determining that the statutory conditions for the designation no longer continued to be met. To allow for an orderly transition, the former Acting Secretary delayed the effective date by 18 months. Accordingly, Haiti's TPS designation will terminate on July 22, 2019. The 18-month period will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional information on the termination of Haiti TPS can be found on the USCIS website and in a notice that was published in the *Federal Register* on January 18, 2018.


Mr. Neil Bradley
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Secretary Nielsen decided to terminate the TPS designation for El Salvador after considering information from several U.S. Government sources, with a delay of 18 months to allow for an orderly transition before the designation terminates on September 9, 2019. DHS is committed to an orderly transition that will allow time for El Salvador to prepare for the return and reintegration of its citizens. USCIS will work with the State Department and the government of El Salvador to help inform relevant stakeholders in-country and in the United States to ensure an orderly return and reintegration of El Salvador's citizens. Additional details on the Secretary's decision and the process for current El Salvador TPS beneficiaries to renew their work authorization documentation until TPS terminates on September 9, 2019, can be found in the notice that was published in the *Federal Register* on January 18, 2018.

In regard to Honduras, former Acting Secretary Duke did not make a determination by the 60-day deadline for Honduras (November 6, 2017), resulting in an automatic six-month extension of the designation. Details regarding this extension and the process for Honduran TPS beneficiaries to re-register can be found on USCIS' website and in the *Federal Register* notice published on December 15, 2017.

Thank you again for your letter and interest in these important issues. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "L. Francis Cissna". The signature is stylized with a large "L" and a cursive "Francis Cissna".

L. Francis Cissna
Director